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05/29/2025

Jury Trial Scheduled

Scheduled For: 10/27/2025; 9:00 AM; CHRISTOPHER EDWARD MCGRAUGH; City of St. Louis

04/22/2025

Summons Issued-Circuit

Document ID: 25-SMCC-2265, for SSM HEALTH SAINT LOUIS UNIVERSITY HOSPITAL.

04/21/2025

Filing Info Sheet eFiling

Filed By: MARK EDWARD BLANKENSHIP

Entry of Appearance Filed

Entry of Appearance - JAO.

Filed By: MARK EDWARD BLANKENSHIP

On Behalf Of: MARY PITTS

Entry of Appearance Filed

Entry of Appearance - MEB.

Filed By: MARK EDWARD BLANKENSHIP

On Behalf Of: MARY PITTS

Motion Special Process Server

Request for Appointment of Process Server.

Filed By: MARK EDWARD BLANKENSHIP

On Behalf Of: MARY PITTS

Pet Filed in Circuit Ct

Petition; Ex 1; Ex 2; Ex 3; Ex 4; Ex 5; Ex 6; Ex 7.

Filed By: MARK EDWARD BLANKENSHIP

On Behalf Of: MARY PITTS

EXHIBIT

A

MISSOURI CIRCUIT COURT  
TWENTY-SECOND JUDICIAL CIRCUIT  
ST. LOUIS CITY CIRCUIT CLERK

MARY PITTS

Plaintiff

v.

SSM HEALTH SAINT LOUIS  
UNIVERSITY HOSPITAL

**Serve at:**

**Manager on Duty  
1201 S. Grand Blvd.,  
St. Louis, MO 63104**

Defendant

Case No.

Div.

**JURY TRIAL DEMANDED**

**PETITION**

COMES NOW Plaintiff Mary Pitts by and through her undersigned attorney, for her Petition states as follows:

1. Plaintiff Mary Pitts (Plaintiff Pitts") is a resident of St. Charles County.
2. Defendant SSM Health Saint Louis University Hospital ("Defendant SLU Hospital") is a hospital located in St Louis City.
3. Venue and subject matter jurisdiction are proper because the injury in question occurred in St. Louis City.

### **Facts Applicable to All Counts**

4. Plaintiff Pitts has been an employee of SLU Hospital since June 10, 2019 and has worked in healthcare for over 35 years. Her hourly wage at SLU Hospital was \$17-23.
5. Overtime, Plaintiff Pitts began experiencing chronic and debilitating left knee pain.
6. Plaintiff Pitts underwent medical leave on or around November 17, 2021 for a total knee replacement.
7. On or around November 28, 2022, Plaintiff Pitts exhausted her FMLA, Extended Leave, or LOA as an accommodation.
8. On or around April 12, 2023, Pitts received the following email and letter from Human Resources Business Partner Rex Gould:

*This letter is in follow up to the Leave Exhaustion notice sent on November 28, 2022 from Rex Gould-Human Resources Partner, which notified you that you had exhausted the available leave options (FMLA, Extended Leave, or LOA as an Accommodation) and asking you contact Human Resources no later than December 05, 2022 to discuss your employment status. You have not returned to work, nor have you contacted your Leader or Human Resources to provide an update regarding your return -to-work status. The Leave Exhaustion notice informed you that your job was no longer protected beyond the date of exhaustion, November 15, 2022. Notedly, as of April 12, 2023, you are not on an approved leave of absence, nor have you returned to work or contacted Human Resources or your leader. Your employment with SSM Saint Louis University Hospital will be terminated effective immediately.*

*See Exhibit 1, Rex Gould Letter – April 12, 2023.*

9. On June 2, 2023, a subsequent email and letter from Gould was sent to Pitts, indicating that the April 12, 2023 correspondence was in error. However, she was informed that she needed to contact Gould by June 9, 2023 to discuss her employment status and to provide contact information for the person(s) with whom she was working with regarding leave of absence approval. *See Exhibit 2, Rex Gould Email – June 2, 2023.*

10. Pitts did provide him the following documentation via email on or around June 2, 2023 and via certified mail on or around June 5, 2023. *See Exhibit 3, Documentation Submitted.*

11. Furthermore, Pitts sent over two medical provider confirmation letters signed by Amy M. Buck, NP on June 9, 2023 and July 6, 2023. Both letters stated the following:

*Mary Veronica Pitts was seen by AMY M. BUCK, NP at HSHS MEDICAL GROUP FAMILY AND SPORTS MEDICINE – O’FALLON . . . to discuss her chronic health issues and including her chronic left knee pain. I am working with her to rectify her situation related to her chronic knee pain and decreased mobility. This includes more intense physical therapy, and seeing an orthopedic at Washington University Hospital. I do not expect her to return to work while we are working on the above. I will see her back in the clinic in August to further evaluate her progress and develop a further plan.*

*See Exhibit 4, Amy M. Buck Letters.*

12. Shortly after June 9, 2023, Plaintiff Pitts followed up via phone call or email multiple times to confirm whether Gould received her

documentation. Pitts also hand-delivered the documents to Gould as well.

13. On July 21, 2023, Plaintiff Pitts received the following email from Rex Gould:

*As you have been previously informed, all of your available leave options were exhausted effective November 15, 2022, as such, your employment was not protected beyond that date. On or about June 09, 2023, you were asked to provide complete contact information for any individuals who could provide information regarding work restrictions that may be required for your return to work. To date you have not provided the requested complete contact information. Therefore, your employment with SSM Saint Louis University Hospital is being terminated effective July 19, 2023.*

*See Exhibit 5, Rex Gould Letter, July 21, 2023.*

14. Plaintiff Pitts dual filed her Charge of Discrimination with the Missouri Commission on Human Rights (MCHR) and the Equal Employment Opportunity Commission (EEOC) on January 16, 2024. *See Exhibit 6, Charge of Discrimination*

15. Plaintiff Pitts obtained the Right to Sue on January 21, 2025. *See Exhibit 7, Right to Sue Letter.*

**COUNT I – AMERICAN’S WITH DISABILITIES ACT (ADA)  
DISABILITY DISCRIMINATION: WRONGFUL TERMINATION**

COMES NOW Plaintiff Pitts, and for her claim of disability discrimination against Defendant SLU Hospital, states as follows:

16. Plaintiff Pitts adopts and reincorporates the above paragraphs as though fully set forth herein.

17. Plaintiff Pitts, is a member of a protected class on the basis of her disability.

18. Plaintiff Pitts is an individual with a physical or mental impairment that substantially limits one or more of that person's major life activities, an individual who has a record of such an impairment, or an individual who is regarded as having such an impairment.

19. Plaintiff Pitts is a qualified individual under the ADA.

20. Defendant SLU Hospital received Plaintiff Pitts' work restrictions and refused to accommodate Plaintiff's disability by terminating her employment.

21. Plaintiff Pitts suffered an adverse employment action by Defendant SLU Hospital because of her disability.

22. As a direct and proximate result of Defendant SLU Hospital's actions and/or omissions, Plaintiff Pitts has been, and continues to be, deprived of monetary and non-monetary benefits.

23. As a direct and proximate result of Defendant SLU Hospital's actions and/or omissions, Plaintiff Pitts has suffered, and continues to suffer emotional distress and other non-medical bill-related compensatory damages.

WHEREFORE Plaintiff Pitts requests humbly that the Court enter judgment in her favor in excess of \$25,000.00, and set the case for trial by jury to assess compensatory damages arising from the discriminatory conduct of Defendant SLU

Hospital for attorney's fees and for any other relief as may be just and proper under the circumstances.

Respectfully submitted,

**OTT LAW FIRM**

/s/ *Mark Edward Blankenship Jr.*

Joseph A. Ott, #67889  
Mark E. Blankenship Jr., #73123  
3544 Oxford Blvd  
Maplewood, MO 63143  
Telephone: (314) 293-3756  
Facsimile: (314) 689-0080  
joe@ott.law  
mark@ott.law  
*Attorneys for Plaintiff*

Through our exceptional  
health care services,  
we reveal the healing  
presence of God.



Saint Louis University Hospital  
1201 S. Grand Blvd.  
St. Louis, MO 63104  
phone: 314-257-2356

**Sent Via Email & U.S. Mail**

April 12, 2023

Mary Pitts  
1932 Sidney Street  
Apartment A  
St. Louis, MO 63104

jonnie.mitchell4@gmail.com

Re: LOA Exhaustion and Employment Status

Dear Mary,

This letter is in follow up to the Leave Exhaustion notice sent on November 28, 2022 from Rex Gould – Human Resources Partner, which notified you that you had exhausted the available leave options (FMLA, Extended Leave, or LOA as an Accommodation) and asking you contact Human Resources no later than December 05, 2022 to discuss your employment status. You have not returned to work, nor have you contacted your Leader or Human Resources to provide an update regarding your return-to-work status.

The Leave Exhaustion notice informed you that your job was no longer protected beyond the date of exhaustion, November 15, 2022. Notedly, as of April 12, 2023, you are not on an approved leave of absence, nor have you returned to work or contacted Human Resources or your leader. Your employment with SSM Saint Louis University Hospital will be terminated effective immediately.

If you should have any questions or concerns, please do not hesitate to contact the undersigned.

Sincerely,  
A handwritten signature in black ink, appearing to read "Rex Gould".

Rex Gould  
Human Resources Business Partner  
SSM Health Saint Louis University Hospital  
314-257-2343  
Rex.gould@ssmhealth.com

Through our exceptional health care services, we reveal the healing presence of God.



Saint Louis University Hospital  
1201 S. Grand Blvd.  
St. Louis, MO 63104  
phone: 314-257-2356

SENT VIA EMAIL AND REGISTERED MAIL

June 2, 2023

Mary Pitts  
1932 Sidney Street  
Apartment A  
St. Louis, MO 63104  
jonnie.mitchell4@gmail.com

Re: LOA Exhaustion and Employment Status

Dear Mary,

On or about April 12, 2023, you were in receipt of a letter terminating your employment. Upon further review, the correspondence you received was in error. Please disregard the email communication and letter you received dated April 12, 2023, regarding your employment.

However, please be aware all of your available leave options were exhausted effective November 15, 2022, as such, your employment is not protected past that date. Recall, you spoke with Chelsea Brothers, Human Resources Business Partner on November 18, 2022, at which time you requested a new return to work date of May 2023. Subsequently, you were notified of your leave exhaustion via correspondence dated November 28, 2022, and were given a deadline of December 5, 2022, to discuss your employment status. At that time, you failed to contact the Hospital regarding your employment.

In a telephone conversation with Rex Gould on or about April 14, 2023, you communicated you were approved to return to work with restrictions. As a result, you were asked to provide contact information for the person(s) with whom you were working with regarding leave of absence approval during that conversation. To date, you have failed to provide any information in this regard.

It is imperative that we speak with you regarding your work status, as you have exhausted all available leave options (FMLA, SSM's Extended FMLA, or LOA as an Accommodation) and have not returned to work. Please contact me directly via email or via phone no later than 3:00 p.m. on Friday, June 9<sup>th</sup> to discuss your employment status. If I do not hear from you on or before June 9<sup>th</sup>, your employment with SSM Saint Louis University Hospital will be terminated pursuant to Article 4.A.3 of the SEIU collective bargaining agreement.

If you should have any questions or concerns, please do not hesitate to contact me.

Sincerely,  
A handwritten signature in black ink, appearing to read "Rex Gould".

Rex Gould  
Human Resources Business Partner  
SSM Health – St. Louis University Hospital  
[Rex.gould@ssmhealth.com](mailto:Rex.gould@ssmhealth.com)  
314-257-2343

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Mary P. Hs  
1932 Sidney St.  
Apt A  
St. Louis, MO 63104



9590 9402 2467 6306 7943 49

## 2. Article Number (Transfer to reverse label)

7022 2410 0002

586 9159

16

A. Signature

USPS Front

 Agent Address

B. Received by (Printed Name)

C. Date of Deliv

D. Is delivery address different from item 1?

If YES, enter delivery address below:

 Yes No

Sun 2/23 2:48

Sun 13/23 4:51

## 3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation
- Signature Confirmation Restricted Delivery



17

First-Class Mail  
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USPS  
Permit No. G-10

9590 9402 2467 6306 7943 49

United States  
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

Rex Gould  
c/o Saint Louis University Hospital  
1201 S. Grand Blvd  
St. Louis, MO 63104



SAINT LOUIS  
1720 MARKET ST RM 3035  
SAINT LOUIS, MO 63155-9998  
(800)275-8777

06/15/2023 05:56 PM

Product	Qty	Unit	Price
First-Class Mail® Letter	1		\$0.87
Saint Louis, MO 63104 Height: 0 lb 1.20 oz Estimated Delivery Date Sat 06/17/2023			
Certified Mail®			\$4.15
Return Receipt			\$3.35
Tracking #:			9590 9402 7713 2152 9476 33
Affixed Postage			-\$5.49
Affixed Amount: \$5.49			
Total			\$2.88
Grand Total: \$2.88			
Cash			\$3.00
Change			-\$0.12

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or call 1-800-410-7420.

UFN: 287205-0204  
Receipt #: 840-56300542-3-6786861-2  
Clerk: 20

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Saint Louis, MO 63104

Certified Mail Fee \$4.15		0204
\$ Extra Services & Fees (check box, add fee as appropriate)		20
<input type="checkbox"/> Return Receipt (hardcopy)	\$ 10.00	
<input type="checkbox"/> Return Receipt (electronic)	\$ 10.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ 10.00	
<input type="checkbox"/> Adult Signature Required	\$ 10.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ 10.00	
Postage \$0.87		06/15/2023
\$ Total Postage and Fees \$8.37		SSM Health
Sent To KEX Gould C/O St. Louis University Hospital		
Street and Apt. No., or PO Box No. 1201 S Grand Blvd		
City, State, ZIP/4 63104		

See Reverse for Instructions

### UNITED STATES POSTAL SERVICE.

SAINT LOUIS  
1720 MARKET ST RM 3035  
SAINT LOUIS, MO 63155-9998  
(800)275-8777

07:42 PM

Product	Qty	Unit	Price
DocMail 9.75x12.25	1		\$2.09
S&S12.25x3x17.625	2		\$4.99
First-Class Mail® Large Envelope	1		\$1.74
Saint Louis, MO 63104 Weight: 0.15 2.60 oz Estimated Delivery Date Thu 06/15/2023			
Certified Mail®			\$4.15
Tracking #:			9589 0710 5270 0568 8391 63
Return Receipt			\$3.35
Tracking #:			9590 9402 7713 2152 9397 13
Total \$9.24			

Grand Total:	\$21.31
Debit Card Remit	\$21.31
Card Name: VISA	
Account #: XXXXXXXX7839	
Approval #: 427050	
Transaction #: 268	
Receipt #: 048523	
Debit Card Purchase: \$21.31	
AID: A0000000980840	Chip
AL: US DEBT	
PIN: Verified	

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or call 1-800-410-7420.

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Receipt #: 840-56300542-4-6367430-2  
Clerk: 85

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Saint Louis, MO 63104

Certified Mail Fee \$4.15		OFFICIAL USE
\$ Extra Services & Fees (check box, add fee as appropriate)		1720 MARKET ST
<input type="checkbox"/> Return Receipt (hardcopy)	\$ 10.00	13 2023
<input type="checkbox"/> Return Receipt (electronic)	\$ 10.00	06/13/2023
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ 10.00	PSN 7530-02-000-904
<input type="checkbox"/> Adult Signature Required	\$ 10.00	OFFICE POSTAL STORE 85
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ 10.00	Postmark Here
Postage \$1.74		1003 ST LOUIS, MO 63155-9998
\$ Total Postage and Fees \$9.24		1201 S GRAND RD
\$ Sent To KEX Gould C/O St. Louis University Hospital		ST LOUIS, MO 63104
Street and Apt. No., or PO Box No. 1201 S Grand Blvd		
City, State, ZIP/4 63104		

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

Mary Veronica Pitts  
2/10/1961



**HSHS Medical Group**

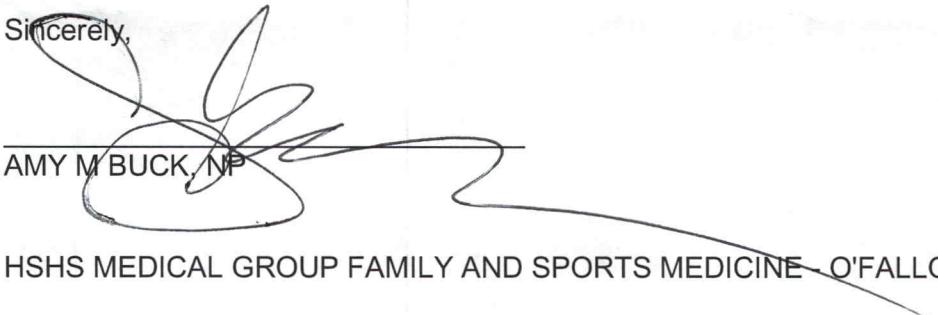
HSHS Medical Group Family and Sports Medicine - O'Fallon  
670 Pierce Blvd  
O' Fallon IL 62269-1953  
618-206-2070  
AMY M BUCK, NP

7/6/2023

To Whom It May Concern:

Mary Veronica Pitts was seen by AMY M BUCK, NP at HSHS MEDICAL GROUP FAMILY AND SPORTS MEDICINE - O'FALLON on 7/6/2023 to discuss her chronic health issues and including her chronic left knee pain. I am working with her to rectify her situation related to her chronic knee pain and decreased mobility. This includes more intense physical therapy, and seeing an orthopedic at Washington University Hospital. I do not expect her to return to work while we are working on the above. I will see her back in the clinic in August to further evaluate her progress and develop a further plan.

Sincerely,

  
AMY M BUCK, NP

HSHS MEDICAL GROUP FAMILY AND SPORTS MEDICINE - O'FALLON

Mary Veronica Pitts  
2/10/1961



**HSHS Medical Group**

HSHS Medical Group Family and Sports Medicine - O'Fallon  
670 Pierce Blvd  
O' Fallon IL 62269-1953  
618-206-2070  
AMY M BUCK, NP

6/9/2023

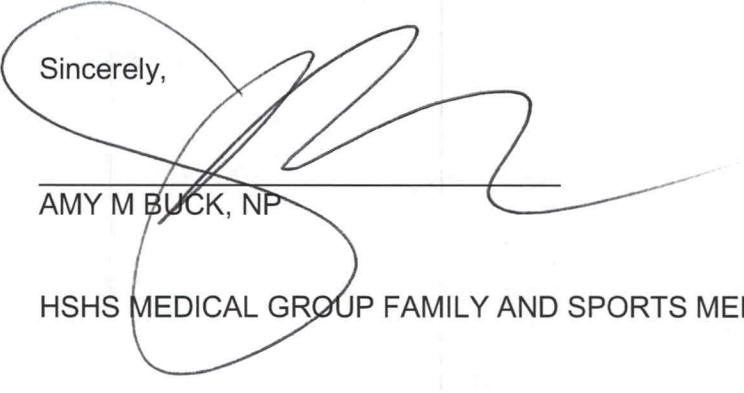
To Whom It May Concern:

Mary Veronica Pitts was seen by AMY M BUCK, NP at HSHS MEDICAL GROUP FAMILY AND SPORTS MEDICINE - O'FALLON on 6/9/2023 to discuss her chronic health issues and including her chronic left knee pain. I am working with her to rectify her situation related to her chronic knee pain and decreased mobility. This includes more intense physical therapy, finding a second opinion surgeon that will give her options to help her knee.

I do not expect her to return to work while we are working on the above.

I will see her back in the clinic in August to further evaluate her progress and develop a further plan.

Sincerely,

  
AMY M BUCK, NP

HSHS MEDICAL GROUP FAMILY AND SPORTS MEDICINE - O'FALLON

----- Forwarded message -----

From: **Gould, Rex** <[Rex.Gould@ssmhealth.com](mailto:Rex.Gould@ssmhealth.com)>  
Date: Fri, Jul 21, 2023, 9:13 AM  
Subject: SLUH Separation Notice  
To: [jonnie.mitchell4@gmail.com](mailto:jonnie.mitchell4@gmail.com) <[jonnie.mitchell4@gmail.com](mailto:jonnie.mitchell4@gmail.com)>

Dear Mary,

As you have been previously informed, all of your available leave options were exhausted effective November 15, 2022, as such, your employment was not protected beyond that date. On or about June 09, 2023, you were asked to provide complete contact information for any individuals who could provide information regarding work restrictions that may be required for your return to work. To date you have not provided the requested complete contact information. Therefore, your employment with SSM Saint Louis University Hospital is being terminated effective July 19, 2023.

If you have any questions, please contact me.

**Rex Gould | Human Resources Partner**  
**SSM Health Saint Louis University Hospital**  
1201 S. Grand Boulevard  
St. Louis, MO 63104  
314-257-2343  
[Rex.Gould@ssmhealth.com](mailto:Rex.Gould@ssmhealth.com) | [ssmhealth.com](http://ssmhealth.com)



## MISSOURI COMMISSION ON HUMAN RIGHTS

MIKE KEHOE  
GOVERNOR

ANNA S. HUI  
DEPARTMENT DIRECTOR

AL LI  
COMMISSION CHAIR

ALISA WARREN, PH.D.  
EXECUTIVE DIRECTOR

## NOTICE THAT A COMPLAINT HAS BEEN FILED

January 15, 2025

Mary Pitts  
1932 Sidney Street  
Apt. A  
St. Louis, MO 63104  
Via Complainant Attorney Email: [Mark@ott.law](mailto:Mark@ott.law)

RE: Pitts v SSM Health - Saint Louis University Hospital E-01/24-56638; 28E-2025-00257

This is to inform you the enclosed complaint alleging employment discrimination has been dually filed with the Missouri Commission on Human Rights (MCHR) and the federal Equal Employment Opportunity Commission (EEOC). **Please keep this letter for future reference.**

**This complaint will be investigated by the EEOC.** You are encouraged to cooperate fully in the investigation. An investigator from that agency will be in contact with you.

The Missouri Human Rights Act provides that you may request a right to sue letter. Such a letter would allow you to file suit in state court against the Respondent named in your complaint using your own resources. MCHR closes its case when it issues a right to sue letter.

If MCHR adopts EEOC's finding and closes your complaint, then you will not be able to get a right to sue letter from MCHR. If you want a right to sue letter, then you may request one in writing at any time. If you request a right to sue letter and MCHR has not completed its administrative processing of your complaint after it has been on file for over 180 days, then MCHR will issue your right to sue letter.

If you have any questions, please email: [pittsvssmhealthsluhospitalz3370031@missouri-dolir.filevinegov.com](mailto:pittsvssmhealthsluhospitalz3370031@missouri-dolir.filevinegov.com). Thank you.

Enclosures: copy of complaint, General information Sheet

**NOTICE OF STATUTE PROHIBITING RETALIATION**

It shall be an unlawful practice for any employer, labor organization, or employment agency to discharge, expel, or otherwise discriminate against any person because he or she has opposed any practices forbidden under the law or because he or she has filed a complaint, testified, or assisted in any proceeding under Chapter 213, RSMo. as amended.

*The Missouri Commission on Human Rights is an equal opportunity employer/program.  
Auxiliary aides and services are available upon request to individuals with disabilities.*



# MISSOURI COMMISSION ON HUMAN RIGHTS

MIKE KEHOE  
GOVERNOR

ANNA S. HUI  
DEPARTMENT DIRECTOR

AL LI  
COMMISSION CHAIR

ALISA WARREN, PH.D.  
EXECUTIVE DIRECTOR

## NOTICE THAT A COMPLAINT HAS BEEN FILED

January 15, 2025

Mark E. Blankenship Jr.  
3544 Oxford Boulevard  
Maplewood, MO 63143  
[Mark@ott.law](mailto:Mark@ott.law)

RE: Pitts v SSM Health - Saint Louis University Hospital E-01/24-56638; 28E-2025-00257

Dear Mark E. Blankenship:

This is to inform you the enclosed complaint alleging employment discrimination has been dually filed with the Missouri Commission on Human Rights (MCHR) and the federal Equal Employment Opportunity Commission (EEOC). Please keep this letter for future reference.

**This complaint will be investigated by the EEOC.** You are encouraged to cooperate fully in the investigation. An investigator from that agency will be in contact with you.

The Missouri Human Rights Act provides that you may request a right to sue letter. Such a letter would allow you to file suit in state court against the Respondent named in your complaint using your own resources. MCHR closes its case when it issues a right to sue letter.

If MCHR adopts EEOC's finding and closes your complaint, then you will not be able to get a right to sue letter from MCHR. If you want a right to sue letter, then you may request one in writing at any time. If you request a right to sue letter and MCHR has not completed its administrative processing of your complaint after it has been on file for over 180 days, then MCHR will issue your right to sue letter.

If you have any questions, please email: [pittsvssmhealthsluhospitalz3370031@missouri-dolir.filevinegov.com](mailto:pittsvssmhealthsluhospitalz3370031@missouri-dolir.filevinegov.com). Thank you.

Enclosures: copy of complaint, General information Sheet

### NOTICE OF STATUTE PROHIBITING RETALIATION

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*The Missouri Commission on Human Rights is an equal opportunity employer/program.  
Auxiliary aides and services are available upon request to individuals with disabilities.*

## CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s):

FEPA E-01/24-56638  
 EEOC 28E-2025-00257

## Missouri Human Rights Commission

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

Mary Pitts

Home Phone (Incl. Area Code)

(314) 590-3950

Date of Birth

02/10/1961

Street Address

City, State and ZIP Code

1932 Sidney St. Apt. A

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against him or Others. (If more than two, list under PARTICULARS below.)

Name

SSM Health – SLU Hospital

No. Employees, Members

5,000+

Phone No. (Include Area Code)

1 (800) 252-4670

Street Address

City, State and ZIP Code

1201 S. Grand Blvd., St. Louis, MO 63104

DISCRIMINATION BASED ON (Check appropriate box(es).)

FILED

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

04/12/2023

07/19/2023

RACE  COLOR  SEX  RELIGION  NATIONAL ORIGIN  
 RETALIATION  AGE  DISABILITY  GENETIC INFORMATION  
 OTHER (Specify) Missouri Commission on  
 Humans Rights- SL

 CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)).

Mary Pitts has been an employee of SLU Hospital since June 10, 2019 and has worked in healthcare for over 35 years. Her hourly wage at SLU Hospital was \$17-23.

Overtime, Pitts began experiencing chronic and debilitating left knee pain. Pitts underwent medical leave on or around November 17, 2021 for a total knee replacement. On or around November 28, 2022, Pitts exhausted her FMLA, Extended Leave, or LOA as an Accommodation.

On or around April 12, 2023, Pitts received the following email and letter from Human Resources Business Partner Rex Gould:

*This letter is in follow up to the Leave Exhaustion notice sent on November 28, 2022 from Rex Gould-Human Resources Partner, which notified you that you had exhausted the available leave options (FMLA, Extended Leave, or LOA as an Accommodation) and asking you contact Human Resources no later than December 05, 2022 to discuss your employment status. You have not returned to work, nor have you contacted your Leader or Human Resources to provide an update regarding your return -to-work status. The Leave Exhaustion notice informed you that your job was no longer protected beyond the date of exhaustion, November 15, 2022. Notedly, as of April 12, 2023, you are not on an approved leave of absence, nor have you returned to work or contacted Human Resources or your leader. Your employment with SSM Saint Louis University Hospital will be terminated effective immediately.*

On June 2, 2023, a subsequent email and letter from Gould was sent to Pitts, indicating that the April 12, 2023 correspondence was in error. However, she was informed that she needed to contact Gould by June 9, 2023 to discuss her employment status and to provide contact information for the person(s) with whom she was working with regarding leave of absence approval.

Pitts did provide him the following documentation via email on or around June 2, 2023 and via certified mail on or around June 5, 2023. Furthermore, Pitts sent over two medical provider confirmation letters signed by Amy M. Buck, NP on June 9, 2023 and July 6, 2023. Both letters stated the following:

*Mary Veronica Pitts was seen by AMY M. BUCK, NP at HSHS MEDICAL GROUP FAMILY AND SPORTS MEDICINE – O’FALLON . . . to discuss her chronic health issues and including her chronic left knee pain. I*

am working with her to rectify her situation related to her chronic knee pain and decreased mobility. This includes more intense physical therapy, and seeing an orthopedic at Washington University Hospital. I do not expect her to return to work while we are working on the above. I will see her back in the clinic in August to further evaluate her progress and develop a further plan.

Shortly after June 9, 2023, Pitts followed up via phone call or email multiple times to confirm whether Gould received her documentation. Pitts also hand delivered the documents to Gould as well.

On July 21, 2023, Rex Gould, HR Partner at SLU Hospital provided the following email:

*As you have been previously informed, all of your available leave options were exhausted effective November 15, 2022, as such, your employment was not protected beyond that date. On or about June 09, 2023, you were asked to provide complete contact information for any individuals who could provide information regarding work restrictions that may be required for your return to work. To date you have not provided the requested complete contact information. Therefore, your employment with SSM Saint Louis University Hospital is being terminated effective July 19, 2023.*

Plaintiff asserts that she was wrongfully terminated and discriminated on the basis of her disability.

<p>I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change his address or phone number and I will cooperate fully with them in the processing of his charge in accordance with their procedures.</p>	<p>NOTARY – When necessary for State and Local Agency Requirements</p>
<p>I declare under penalty of perjury that the above is true and correct.</p>	<p>I swear or affirm that I have read the above charge and that it is true to the best of his knowledge, information and belief.</p>
<p><u>1/15/2024</u></p> <p>Date</p>	<p>SIGNATURE OF COMPLAINANT  <u>MARY VERONICA PITTS</u>  <small>MARY VERONICA PITTS (Jan 16, 2024 15:32 CST)</small>  SUBSCRIBED AND SWORN TO BEFORE him THIS DATE  <small>(month, day, year)</small></p>
<p><u>Mark Edward Blawenship</u></p> <p>Charging Party Signature</p>	<p><u>16/01/2024</u></p>

FILED

JAN 16 2024

Missouri Commission on  
Humans Rights- SL

# EEOC Form 5 (11/09)

Final Audit Report

2024-01-16

Created:	2024-01-16
By:	Mark Blankenship (mark@ott.law)
Status:	Signed
Transaction ID:	CBJCHBCAABAAvUyVu_5qETI9ZukCJrcHg6zMs_xyBdo

## "EEOC Form 5 (11/09)" History

- Document created by Mark Blankenship (mark@ott.law)  
2024-01-16 - 9:28:29 PM GMT- IP address: 35.129.252.203
- Document emailed to jonnie.mitchell4@gmail.com for signature  
2024-01-16 - 9:28:33 PM GMT
- Email viewed by jonnie.mitchell4@gmail.com  
2024-01-16 - 9:29:18 PM GMT- IP address: 99.107.94.224
- Signer jonnie.mitchell4@gmail.com entered name at signing as MARY VERONICA PITTS  
2024-01-16 - 9:32:10 PM GMT- IP address: 99.107.94.224
- Document e-signed by MARY VERONICA PITTS (jonnie.mitchell4@gmail.com)  
Signature Date: 2024-01-16 - 9:32:12 PM GMT - Time Source: server- IP address: 99.107.94.224
- Agreement completed.  
2024-01-16 - 9:32:12 PM GMT

FILED

JAN 16 2024

Missouri Commission on  
Human Rights- SL

Adobe Acrobat Sign



## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

St Louis District Office  
1222 Spruce, Room 8.100  
St. Louis, MO 63103  
(314)798-1960  
Website: [www.eeoc.gov](http://www.eeoc.gov)

### DISMISSAL AND NOTICE OF RIGHTS

(This Notice replaces EEOC FORMS 161, 161-A and 161-B)

Issued On: 01/21/2025

**To:** Mary Pitts  
1932 Sidney Street Apt. A  
Saint Louis, MO 63104

**Re:** Mary Pitts v. SSM Health - Saint Louis University Hospital  
EEOC Charge Number: 28E-2025-00257

EEOC Representative and email: Joseph J. Wilson  
State, Local & Tribal Program Manager  
Joseph.Wilson@EEOC.gov

### **DISMISSAL OF CHARGE**

The EEOC has granted your request for a Notice of Right to Sue, and more than 180 days have passed since the filing of this charge.

The EEOC is terminating its processing of this charge.

### **NOTICE OF YOUR RIGHT TO SUE**

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice**. Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

Please retain this notice for your records.

On Behalf of the Commission:

Digitally Signed By: David Davis 1/21/2025

David Davis  
District Director

cc: Andy Walkup  
Interim General Counsel  
Saint Louis University Hospital  
1201 South Grand  
Saint Louis, MO 63104

Mark Blankenship  
Ott Law Firm  
3544 Oxford Boulevard  
Maplewood, MO 63143

## INFORMATION RELATED TO FILING SUIT UNDER THE LAWS ENFORCED BY THE EEOC

*(This information relates to filing suit in Federal or State court under Federal law. If you also plan to sue claiming violations of State law, please be aware that time limits may be shorter and other provisions of State law may be different than those described below.)*

### IMPORTANT TIME LIMITS – 90 DAYS TO FILE A LAWSUIT

If you choose to file a lawsuit against the respondent(s) named in the charge of discrimination, you must file a complaint in court **within 90 days of the date you receive this Notice**. Receipt generally means the date when you (or your representative) opened this email or mail. You should **keep a record of the date you received this notice**. Once this 90-day period has passed, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and the record of your receiving it (email or envelope).

If your lawsuit includes a claim under the Equal Pay Act (EPA), you must file your complaint in court within 2 years (3 years for willful violations) of the date you did not receive equal pay. This time limit for filing an EPA lawsuit is separate from the 90-day filing period under Title VII, the ADA, GINA, the ADEA, or the PWFA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA, the ADEA or the PWFA, in addition to suing on the EPA claim, your lawsuit must be filed within 90 days of this Notice and within the 2- or 3-year EPA period.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Filing this Notice is not enough. For more information about filing a lawsuit, go to <https://www.eeoc.gov/employees/lawsuit.cfm>.

### ATTORNEY REPRESENTATION

For information about locating an attorney to represent you, go to:  
<https://www.eeoc.gov/employees/lawsuit.cfm>.

In very limited circumstances, a U.S. District Court may appoint an attorney to represent individuals who demonstrate that they are financially unable to afford an attorney.

### HOW TO REQUEST YOUR CHARGE FILE

To request a copy of your charge file, contact the Fair Employment Practices Agency that investigated your charge.

#### NOTICE OF RIGHTS UNDER THE ADA AMENDMENTS ACT OF 2008 (ADAAA)

The ADA was amended, effective January 1, 2009, to broaden the definitions of disability to make it easier for individuals to be covered under the ADA/ADAAA. A disability is still defined as (1) a physical or mental impairment that substantially limits one or more major life activities (actual disability); (2) a record of a substantially limiting impairment; or (3) being regarded as having a disability. *However, these terms are redefined, and it is easier to be covered under the new law.*

If you plan to retain an attorney to assist you with your ADA claim, we recommend that you share this information with your attorney and suggest that he or she consult the amended regulations and appendix, and other ADA related publications, available at:

[http://www.eeoc.gov/laws/types/disability\\_regulations.cfm](http://www.eeoc.gov/laws/types/disability_regulations.cfm).

#### “Actual” disability or a “record of” a disability

If you are pursuing a failure to accommodate claim you must meet the standards for either “actual” or “record of” a disability:

- ✓ **The limitations from the impairment no longer must be severe or significant** for the impairment to be considered substantially limiting.
- ✓ In addition to activities such as performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, thinking, concentrating, reading, bending, and communicating (more examples at 29 C.F.R. § 1630.2(i)), **“major life activities” now include the operation of major bodily functions**, such as: functions of the immune system, special sense organs and skin; normal cell growth; and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions; or the operation of an individual organ within a body system.
- ✓ **Only one** major life activity need be substantially limited.
- ✓ Except for ordinary eyeglasses or contact lenses, the beneficial effects of **“mitigating measures”** (e.g., hearing aid, prosthesis, medication, therapy, behavioral modifications) **are not considered** in determining if the impairment substantially limits a major life activity.
- ✓ An impairment that is **“episodic”** (e.g., epilepsy, depression, multiple sclerosis) or **“in remission”** (e.g., cancer) is a disability if it **would be substantially limiting when active**.
- ✓ An impairment **may be substantially limiting even though** it lasts or is expected to last **fewer than six months**.

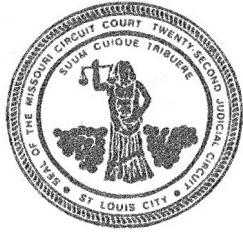
#### “Regarded as” coverage

An individual can meet the definition of disability if an **employment action was taken because of an actual or perceived impairment** (e.g., refusal to hire, demotion, placement on involuntary leave, termination, exclusion for failure to meet a qualification standard, harassment, or denial of any other term, condition, or privilege of employment).

- ✓ “Regarded as” coverage under the ADAAA no longer requires that an impairment be substantially limiting, or that the employer perceives the impairment to be substantially limiting.
- ✓ The employer has a defense against a “regarded as” claim only when the impairment at issue is objectively **both transitory** (lasting or expected to last six months or less) **and minor**.
- ✓ A person is not able to bring a failure to accommodate claim if the individual is covered only under the “regarded as” definition of “disability”.

*Note: Although the amended ADA states that the definition of disability “shall be construed broadly” and “should not demand extensive analysis,” some courts require specificity in the complaint explaining how an impairment substantially limits a major life activity or what facts indicate the challenged employment action was because of the impairment. Beyond the initial pleading stage, some courts will require specific evidence to establish disability. For more information, consult the amended regulations and appendix, as well as explanatory publications, available at [http://www.eeoc.gov/laws/types/disability\\_regulations.cfm](http://www.eeoc.gov/laws/types/disability_regulations.cfm).*

In the  
**CIRCUIT COURT**  
**City of St. Louis, Missouri**



For File Stamp Only

Mary Pitts  
Plaintiff/Petitioner

04/21/2025  
Date

vs.  
SSM Health Saint Louis University Hospital  
Defendant/Respondent

Case number  
Division

**REQUEST FOR APPOINTMENT OF PROCESS SERVER**

Comes now Yansel Nunez, pursuant

Requesting Party

to Local Rule 14, requests the appointment by the Circuit Clerk of  
Tim Moore, St. Louis Pro-Serve

6614 Clayton Road #311

314-962-2222

Name of Process Server

Address

Telephone

Name of Process Server

Address

Telephone

Name of Process Server

Address

Telephone

to serve the summons and petition in this cause on the below named parties.

**SERVE:**

SSM Health Saint Louis University Hospital (Man:

Name  
1201 S. Grand Blvd

Address  
St. Louis, MO 63104

City/State/Zip

**SERVE:**

Name

Address

City/State/Zip

**SERVE:**

Name

Address

City/State/Zip

**SERVE:**

Name

Address

City/State/Zip

Appointed as requested:

**TOM KLOEPPINGER**, Circuit Clerk

By

Deputy Clerk

Date

/s/ Joseph Ott

Attorney/Plaintiff/Petitioner  
67889

Bar No.  
3544 Oxford Blvd, Maplewood, MO 63143

Address  
314-293-3756

Phone No.

**RULE 14 SPECIAL PROCESS SERVERS**

1. Any person appointed by the Court or the Circuit Clerk to serve process must have a license issued pursuant to this rule to serve process.
2. Licenses to serve process shall be issued by the Sheriff of the City of St. Louis if the applicant has met the following qualifications:
  - a. Is twenty-one years of age or older;
  - b. Has a high school diploma or an equivalent level of education;
  - c. Has insurance coverage for any errors or omissions occurring in the service of process;
  - d. Has not been convicted, pleaded guilty to or been found guilty of any felony, or of any misdemeanor involving moral turpitude; and,
  - e. Has passed a training course for the service of process which shall be administered by the Sheriff of the City of St. Louis.
3. Each applicant for a process server license under the provisions of this rule shall provide an affidavit setting forth such person's legal name, current address, any other occupations and current telephone numbers. Licensed process servers shall immediately notify the Sheriff of the City of St. Louis of any change in the above information, and the failure to do so shall constitute good cause for the revocation of such person's license.
4. The Sheriff of the City of St. Louis shall maintain a list of persons licensed to serve process pursuant to this rule, and shall make such list available to litigants upon request.
5. A photo identification card designed by the Sheriff of the City of St. Louis shall be issued in addition to the license. No other identification will be allowed. All licenses must be signed and approved by the Sheriff of the City of St. Louis and the Presiding Judge or his designee.
6. A license fee recommended by the Sheriff and approved by the Court En Banc shall be charged to cover the costs of compiling and maintaining the list of process servers and for the training of such process servers. The license fees shall be made payable to the Sheriff of the City of St. Louis.

7. A license for service of process issued under this rule may be revoked by the Sheriff with the approval of the Presiding Judge or his designee, for any of the following reasons:
  - a. Misrepresentation of duty or authority;
  - b. Conviction, guilty plea or finding of guilty of any state or federal felony, or a misdemeanor involving moral turpitude;
  - c. Improper use of the license;
  - d. Making a false return; or
  - e. Any other good cause.

Provided, no service of process made by an appointed process server with a revoked license shall be void if the Court or Circuit Clerk made the appointment in good faith without knowledge of the license revocation.

8. Any person authorized to serve process may carry a concealed firearm as allowed by Section 506.145, RSMo, only while actually engaged in the service of process and only if the person has passed a firearms qualification test approved by a law enforcement agency; provided, however, that any licensed special process server may file a written waiver of the right to carry a concealed firearm and thereby avoid the requirements of firearm training and testing. Any violation of this section shall be considered beyond the scope of the privilege to carry a concealed weapon that is granted by the appointment, and shall constitute good cause for the revocation of the license.
9. Applications for the appointment of a special process server shall be made on forms available in the offices of the Sheriff and Circuit Clerk. Orders Appointing special process servers may list more than one licensed server as alternatives.
10. The licenses granted pursuant to this rule shall be good for two years. Each person granted a license shall be required to reapply at the expiration of the license and shall be required to provide all the information required in the initial application, including a current police record check.

(Approved 9/28/92; amended 11/23/92; 5/31/95; 12/17/07)

In the  
**CIRCUIT COURT**  
**City of St. Louis, Missouri**



For File Stamp Only

Mary Pitts

Plaintiff/Petitioner

04/21/2025

Date

vs.

SSM Health Saint Louis University Hospital

Case number

Defendant/Respondent

Division

**REQUEST FOR APPOINTMENT OF PROCESS SERVER**

Comes now Yansel Nunez, pursuant

Requesting Party

to Local Rule 14, requests the appointment by the Circuit Clerk of  
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Name of Process Server

Address

Telephone

Name of Process Server

Address

Telephone

Name of Process Server

Address

Telephone

to serve the summons and petition in this cause on the below named parties.

**SERVE:**

SSM Health Saint Louis University Hospital (Man:

Name  
1201 S. Grand BlvdAddress  
St. Louis, MO 63104

City/State/Zip

**SERVE:**

Name

Address

City/State/Zip

**SERVE:**

Name

Address

City/State/Zip

**SERVE:**

Name

Address

City/State/Zip

Appointed as requested:

TOM KLOERPINGER, Circuit Clerk

By

Deputy Clerk

Date

/s/ Joseph Ott

Attorney/Plaintiff/Petitioner  
67889Bar No.  
3544 Oxford Blvd, Maplewood, MO 63143Address  
314-293-3756

Phone No.

MISSOURI CIRCUIT COURT  
TWENTY-SECOND JUDICIAL CIRCUIT  
ST. LOUIS CITY CIRCUIT CLERK

MARY PITTS

Plaintiff

v.

SSM HEALTH SAINT LOUIS  
UNIVERSITY HOSPITAL

Defendant

Case No.

Div.

**ENTRY OF APPEARANCE**

COMES NOW Mark E. Blankenship Jr., an attorney at Ott Law Firm, and  
hereby enters his appearance on behalf of Plaintiff in the above captioned matter.

Respectfully submitted,

**OTT LAW FIRM**

*Mark Edward Blankenship Jr.*

---

Mark E. Blankenship Jr., #73123  
3544 Oxford Blvd  
Maplewood, MO 63143  
Telephone: (314) 293-3756  
Facsimile: (314) 689-0080  
mark@ott.law  
*Attorneys for Plaintiff*

MISSOURI CIRCUIT COURT  
TWENTY-SECOND JUDICIAL CIRCUIT  
ST. LOUIS CITY CIRCUIT CLERK

MARY PITTS

Plaintiff

v.

SSM HEALTH SAINT LOUIS  
UNIVERSITY HOSPITAL

Defendant

Case No.

Div.

**ENTRY OF APPEARANCE**

COMES NOW Joseph A. Ott, an attorney at Ott Law Firm, and hereby enters his appearance on behalf of Plaintiff in the above captioned matter.

Respectfully submitted,

**OTT LAW FIRM**



---

Joseph A. Ott, #67889  
3544 Oxford Blvd  
Maplewood, MO 63143  
Telephone: (314) 293-3756  
Facsimile: (314) 689-0080  
joe@ott.law  
*Attorneys for Plaintiff*



# Summons in Civil Case

IN THE 22ND JUDICIAL CIRCUIT, CITY OF ST LOUIS, MISSOURI

Judge or Division: CHRISTOPHER EDWARD MCGRAUGH	Case Number: 2522-CC00728
Plaintiff/Petitioner: MARY PITTS  vs.	Plaintiff's/Petitioner's Attorney/Address MARK EDWARD BLANKENSHIP 3544 OXFORD BLVD MAPLEWOOD, MO 63143
Defendant/Respondent: SSM HEALTH SAINT LOUIS UNIVERSITY HOSPITAL	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101
Nature of Suit: CC Other Tort	(Date File Stamp for Return)
<b>The State of Missouri to:</b> <b>SSM HEALTH SAINT LOUIS UNIVERSITY HOSPITAL</b> <b>Alias:</b> <b>MANAGER ON DUTY</b> <b>1201 S GRAND BLVD</b> <b>SAINT LOUIS, MO 63104</b>	<b>SPECIAL PROCESS SERVER</b>

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

### COURT SEAL OF



**CITY OF ST LOUIS**

April 22, 2025

Date

*Thomas J. Dwyer*

Clerk

**Further Information:**

### Officer's or Server's Return

**Note to serving officer:** Service should be returned to the court within 30 days after the date of issue.

I certify that I have served the above Summons by: (check one)

delivering a copy of the summons and petition to the defendant/respondent.

leaving a copy of the summons and petition at the dwelling house or usual place of abode of the defendant/respondent with \_\_\_\_\_, a person at least 18 years of age residing therein.

(for service on a corporation) delivering a copy of the summons and petition to: \_\_\_\_\_ (name) \_\_\_\_\_ (title).

other: \_\_\_\_\_.

Served at \_\_\_\_\_ (address)  
in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date)  
at \_\_\_\_\_ (time).

---

Printed Name of Officer or Server

---

Signature of Officer or Server

**Must be sworn before a notary public if not served by an authorized officer.**  
Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_ Date \_\_\_\_\_ Notary Public

### Service Fees (if applicable)

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	\$ _____
Supplemental Surcharge	\$ _____ 10.00
Mileage	\$ _____ ( _____ miles @ \$._____ per mile)
<b>Total</b>	\$ _____

A copy of the summons and petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.